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(to be used for all correspondence after initial filing)

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|  |    | Application Number     | 10/806,038      |
|  |    | Filing Date            | March 22, 2004  |
|  |    | First Named Inventor   | SALLY MACKENZIE |
|  |    | Art Unit               | 1638            |
|  |    | Examiner Name          | A. KUBELIK      |
| Total Number of Pages in This Submission | 51 | Attorney Docket Number | 1231-218        |

### ENCLOSURES (check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>1. 7 References, 48 sheets<br>2. Return Receipt Postcard |
| Remarks  |  |   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |                          |          |        |
|--------------|--------------------------|----------|--------|
| Firm Name    | JONDLE & ASSOCIATES P.C. |          |        |
| Signature    |                          |          |        |
| Printed Name | KENYON L. SCHUETT        |          |        |
| Date         | MARCH 9, 2006            | Reg. No. | 44,324 |

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| Signature             |                   |
| Typed or printed name | KENYON L. SCHUETT |
|                       | Date              |
|                       | MARCH 9, 2006     |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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|   |                 |
|---|-----------------|
| Application Number  | 10/806,038      |
| Filing Date   | March 22, 2004  |
| First Named Inventor  | SALLY MACKENZIE |
| Group Art Unit  | 1638            |
| Examiner Name   | A. KUBELIK      |
| Attorney Docket Number  | 1231-218        |
| <i>Title of the Invention:</i> <b>IMPLEMENTATION OF A MITOCHONDRIAL MUTATOR</b> |                 |

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Under the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant submits herewith copies of publications that the Office may wish to consider in examination of the subject application. The publications are listed on the attached form PTO-1449.

|                         |  |           |               |          |              |
|-------------------------|--|-----------|---------------|----------|--------------|
| RESPECTFULLY SUBMITTED, |  |           |               |          |              |
| NAME AND REG. NUMBER    | Kenyon L. Schuett, Reg. No. 44,324                           |           |               |          |              |
| SIGNATURE               | <i>Kenyon L. Schuett</i>                                     | DATE      | March 9, 2006 |          |              |
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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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|-------|---|----|---|------------------------|----------|
| Sheet | 1 | Of | 1 | Attorney Docket Number | 1231-218 |
|-------|---|----|---|------------------------|----------|

| NON PATENT LITERATURE DOCUMENTS |                       |  |  |  |                |
|---------------------------------|-----------------------|--|--|--|----------------|
| Examiner Initials*              | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. |  |  |                |
|                                 |                       | Abdelnoor, R.V., et al., 2003. Substoichiometric shifting in the plant mitochondrial genome is influenced by a gene homologous to MutS. <i>Proc. Natl. Acad. Sci. (USA)</i> <b>100</b> :5968-5973.   |  |  | T <sup>2</sup> |
|                                 |                       | Janska, H., et al., 1998. Stoichiometric shifts in the common bean mitochondrial genome leading to male sterility and spontaneous reversion to fertility. <i>Plant Cell</i> <b>10</b> :1163-1180.  |  |  |                |
|                                 |                       | Mackenzie, S., et al., 1988. Mitochondrial DNA rearrangement associated with fertility restoration and cytoplasmic reversion to fertility in cytoplasmic male sterile <i>Phaseolus vulgaris</i> L. <i>Proc. Natl. Acad. Sci. (USA)</i> <b>85</b> :2714-2717.   |  |  |                |
|                                 |                       | Mackenzie, S., et al., 1990. Fertility restoration is associated with loss of a portion of the mitochondrial genome in cytoplasmic male sterile common bean. <i>Plant Cell</i> <b>2</b> :905-912.  |  |  |                |
|                                 |                       | Martinez-Zapater, J., et al., 1992. Mutations at the <i>Arabidopsis CHM</i> locus promote rearrangements of the mitochondrial genome. <i>Plant Cell</i> <b>4</b> :889-899.   |  |  |                |
|                                 |                       | Redei, G.P. 1973. Extra-chromosomal mutability determined by a nuclear gene locus in <i>Arabidopsis</i> . <i>Mutat. Res.</i> <b>18</b> :149-162.   |  |  |                |
|                                 |                       | Sakamoto, W., et al., 1996. Altered mitochondrial gene expression in a maternal distorted leaf mutant of <i>Arabidopsis</i> induced by <i>chloroplast mutator</i> . <i>Plant Cell</i> <b>8</b> :1377-1390.   |  |  |                |
|                                 |                       |  |  |  |                |
|                                 |                       |  |  |  |                |
|                                 |                       |  |  |  |                |

|                    |                 |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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